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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,987	03/12/2001	Takashi Ueda	018775-819	6966
21839	7590	10/21/2004	EXAMINER	
BURNS DOANE SWECKER & MATHIS L L P			SINGH, SATWANT K	
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ALEXANDRIA, VA 22313-1404			PAPER NUMBER	
			2626	

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/802,987	<b>Applicant(s)</b> UEDA, TAKASHI	
	<b>Examiner</b> Satwant K. Singh	<b>Art Unit</b> 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some\*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Sasaki et al. (US 6,351,317).

3. Regarding Claim 1, Sasaki et al disclose a printing system 200 which creates print data from received job data in accordance with an indication of a command (print command) associated with the job data and executes printing, the printing apparatus comprising: a receiving section for receiving job data (printer controller 208 begins to receive the image data from the server computer 206) (col. 16, lines 1-6); an execution time measuring section for measuring execution time of each command associated with the received job data (printer controller 20 measures velocity of the reception of the image data) (col. 16, lines 7-19); an execution number counting section for counting execution number of times of each command associated with the received job data (printer controller 208 determines how many times the aforementioned process has been performed on the extracted print job) (col. 17, lines 29-37); a determination section for determining one or more command(s) to be subjected to replacement processing on the basis of the execution time and execution number of times of each command

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acquired by said execution time measuring section and said execution number counting section (printer controller 208 changes the order of the print jobs) (col. 17, lines 38-46); and a replacement section for executing replacement processing for replacing the command(s) determined by the determination section with other command which can be executed in shorter time (printer controller stops the process of receiving and printing the HTML data and image data, and moves the print job behind another print job) (col. 18, lines 9-14).

4. Regarding Claim 2, Sasaki et al disclose a printing system 200 comprising: a selecting section (Fig. 16, S212, 215) for selecting either one of a first mode which gives a priority on processing speed (Fig. 16, S212: NO) and a second mode (Fig. 16, S212: YES and S215: NO) which gives a priority on image quality in accordance with an indication by a user (by the user, it has been decided in advance, whether or not the resolution of the image data is changed from the high resolution to the low resolution) (col. 16, lines, 34-48, 60-67, col. 17, lines 1-8), wherein said determination section does not determine a command to be subjected to the replacement processing in the case where the first mode is selected (Fig. 16, S212: NO).

5. Regarding Claim 3, Sasaki et al disclose a printing system 200 comprising: a data file storing a plurality of other commands to be used in the replacement processing by said replacement section (advantageous effects of the second embodiment of the invention) (print controller 208 reduces the resolution of the image data, print controller 208 replaces image data by the blank space, print controller 208 stops the process of

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receiving and printing the HTML data and image data and moves the print job behind another print job) (col. 17, lines 56-67 and col. 18, lines 1-14).

6. Regarding Claim 4, Sasaki et al disclose a printing system 200 which creates print data from received job data in accordance with an indication of a command associated with the job data and executes printing, the printing system comprising: a receiving section for receiving job data (printer controller 208 begins to receive the image data from the server computer 206) (col. 16, lines 1-6); an execution time measuring section for measuring execution time of each command associated with the received job data (printer controller 20 measures velocity of the reception of the image data) (col. 16, lines 7-19); an execution number counting section for counting execution number of times of each command associated with the received job data (printer controller 208 determines how many times the aforementioned process has been performed on the extracted print job) (col. 17, lines 29-37); a first processing section (Fig. 16, S212: NO) ; a second processing section (Fig. 16, S212: YES); a determination section for determining one or more command(s) to be subjected to parallel processing on the basis of the execution time and execution number of times of each command acquired by said execution time measuring section and said execution number counting section (Fig. 16, S212, S215, S217); and a controlling section for controlling said first and second processing sections to execute parallel processing of the job data with which the command determined by said determination section is associated (print controller 208 reduces the resolution of the image data, print controller 208 replaces image data by the blank space, print controller 208 stops the

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process of receiving and printing the HTML data and image data and moves the print job behind another print job) (col. 17, lines 56-67 and col. 18, lines 1-14).

7. Regarding Claim 5, Sasaki et al disclose a printing system 200, wherein said first processing section usually performs execution of a command associated with job data and conversion of the job data into print data (Fig. 16, S212: NO); said second processing section usually performs processing different from that performed by said first processing section (Fig. 16, S212: YES); and said controlling section performs controlling so that with respect to the job data with which the command determined by said determination section is associated, said first processing section executes the command (Fig. 16, S212) and said second processing section converts the job data into print data (Fig. 16, S223) (print controller 208 reduces the resolution of the image data) (col. 17, lines 56-67 and col. 18, lines 1-14).

8. Claims 6, 8, 11, 13, and 16 are rejected for the same reason as claim 2.

9. Claim 7 and 12 are rejected for the same reason as claim 1.

10. Claim 9 and 14 are rejected for the same reason as claim 4.

11. Claim 10 and 15 are rejected for the same reason as claim 5.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (703) 306-3430. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (703) 305-4863. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Satwant K. Singh  
Examiner  
Art Unit 2626

sks



**KIMBERLY WILLIAMS**  
**SUPERVISORY PATENT EXAMINER**